

REMARKS/ARGUMENTS

Claims 1, 2, 4, 6, 7 and 10 are pending in this application, with claim 1 being the only independent claim. Claims 8 and 9 have been canceled. Independent claim 1 has been amended. Support for the amendment to independent claim 1 may be found, for example, at pg. 4, lines 14-16 and lines 28-29 of the specification as originally filed. No new matter has been added. Reconsideration of the above-identified application, in view of the following amendments and remarks, is respectfully requested.

Rejection of Claims under 35 U.S.C. §112, First Paragraph

Claims 8 and 9 stand rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement. Claims 8 and 9 have been canceled and, therefore this rejection is moot.

Claim 1 stands rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. According to the Examiner, "[t]he instant application does not provide a teaching of how or in what order the components of the plug are formed". Applicants disagree with the Examiner's contention, but have amended independent claim 1 to use terminology consistent with the specification as originally filed to advance prosecution on the merits.

As explained at pg. 4, lines 28-29 of the specification as originally filed, "a circumferential sealing lip is integrally formed on the plastic casing 8 of the plug 7". Pg. 4, lines 14-15 of the specification as originally filed discloses that the plastic casing 8 is extrusion-coated on the plug 7. As further explained at pg. 1, lines 32-33 of the specification, "[t]he sealing lip is produced in one working step together with the extrusion coating of the plug". The skilled person would know that this described process would produce a sealing lip that is in fact produced from the very same

plastic that is used to extrusion coat the casing of the plug, i.e., the seal is produced at the same time as the extrusion-coated casing is performed. The expressly recited subject matter of independent claim 1 requires that the plug is "extrusion-coated with plastic to form a plug casing, the circumferential sealing lip being integrally formed together with the plug casing in one working step to permit simultaneous production of the integrally formed circumferential sealing lip with the of the plug casing". What applicants have claimed is thus consistent with the written description. In view of the foregoing, claims 1, 2, 4, 6, 7 and 10 fully comply with the requirements of 35 U.S.C. §112, first paragraph, reconsideration and withdrawal of the rejection is thus requested, and a notice to that effect is deemed to be in order.

Rejection of Claims under 35 U.S.C. §112, First Paragraph

Claims 1, 2, 4 and 6-10 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Pub. No. 2004/001769 ("*Uchiyama*") in view of U.S. Patent No. 6,478,613 *Zoell*. Reconsideration and withdrawal of this rejection are requested.

Independent claim 1 has been amended to recite, *inter alia*, "the plug having ... circumferential sealing lip which includes a region that is oriented toward the electrical contacts and which seals the plug against the receiving device when fuel is conveyed through the fuel pump, the plug being extrusion-coated with plastic to form a plug casing, the circumferential sealing lip being integrally formed together with the plug casing in one working step to permit simultaneous production of the integrally formed circumferential sealing lip with the of the plug casing". Support for the amendment may be found, for example, at pg. 4, lines 14-16 and lines 28-29 of the specification as originally filed. The Examiner-cited art fails to teach or suggest this limitation.

Kempfer relates to a fuel sender assembly comprising an in-tank electrical connection to an electric fuel pump located within a fuel tank. The Examiner (at pgs. 5-6) asserts that *Kempfer* discloses a plug 46 that includes an integrally formed, circumferential sealing lip 66 which includes a region that is oriented toward the electrical contacts 62 – the bottom face of the tab defined by element 66 faces and is therefore directed toward element 62 – and seals the plug against the receiving device when fuel is conveyed through the pump. Applicants disagree.

The element 66 referred to by the Examiner is designated as a tab 66 and is shown in Figs. 2 and 4 of *Kempfer*. With respect to Fig. 4, *Kempfer* (paragraph [0017], lines 14-16) explains that “[w]all 64 includes a tab 66 disposed between axial guides 100, for locking plug 46 in socket 48”. *Kempfer* (paragraph [0019], lines 11-14) additionally explains that “[a] tab 98 is disposed between wall 92 and 95 for locking with tab 66 on wall 64 of plug 46 to secure terminals 62 within receptacles 84. Guides 100 about tab 98 press wall 64 against wall 92 while providing clearance for tab 98”. As further explained at paragraph [0020], lines 16-11 of *Kempfer*, “[w]hen fully installed tab 66 engages tab 98 to lock plug 46 in position”.

The above-cited paragraphs in *Kempfer* are the only places of this document at which the element or tab 66 is described. There is no description of any other structure of element 66 other than its configuration as a “tab”. As shown in Figs. 2 and 4, it clear that the tab 66 of *Kempfer* is not circumferential within the meaning of independent claim 1. Therefore, *Kempfer* fails to teach or suggest “the plug having ... circumferential sealing lip which includes a region that is oriented toward the electrical contacts and which seals the plug against the receiving device when fuel is conveyed through the fuel pump, the plug being extrusion-coated with plastic to form a plug casing, the circumferential sealing lip being integrally formed together with the plug casing in one working step to permit simultaneous production of the integrally formed

circumferential sealing lip with the of the plug casing", as recited in now amended independent claim 1.

Zoell fails to teach what *Kempfer* lacks. *Zoell* is directed to a connector for a fuel pump of a motor vehicle that is extrusion coated for protection from corrosion caused by fuel. *Zoell* (col. 3, lines, 26-28) explains that "the connector 1 is plugged onto the bearing plate 10, after assembly". *Zoell* (col. 3, line 30 to col. 4, line 4) additionally explains that "[t]he carbon brushes 5 are mounted, such that they can move, in the receptacles 11 in the bearing plate 10, in such a manner that they can move downward in the event of wear resulting from the electric motor, which is not illustrated but is arranged under the bearing plate 10". *Zoell* fails to disclose a circumferential sealing lip as recited in independent claim 1.

Since *Zoell* fails to teach or suggest any circumferential sealing lip, the combination of *Zoell* and *Kempfer* fails to teach or suggest at least "the plug being extrusion-coated with plastic to form a plug casing, the circumferential sealing lip being integrally formed together with the plug casing in one working step to permit simultaneous production of the integrally formed circumferential sealing lip with the of the plug casing", as recited in now amended independent claim 1.

In view of the foregoing, independent claim 1 is patentable over the combination of *Kempfer* and *Zoell*. Reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are therefore in order, and a notice to that effect is respectfully requested.

In view of the patentability of independent claim 1, dependent claims 2, 4, 6, 7 and 10, are also patentable over the prior art for the reasons set forth above, as well as for the additional recitations contained therein.

Based on the foregoing amendments and remarks, this application is in condition for allowance. Early passage of this case to issue is respectfully requested.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By /Alfred W. Froebrich/
Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: June 23, 2010